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# Facsimile Cover Sheet

**To:** Hon. Commissioner for Patents, TC2100

**From:** Craig S. Fischer

**Fax:** (703) 746-7238

**Pages:** 11 (Inclusive)

**Re:** Serial No.: 09/404,940

**Date:** October 8, 2003

Filed: September 23, 1999

Attorney Docket No: MCS-023-01

☐ Urgent

☒ For Review

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## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

OCT 09 2003

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on October 8, 2003

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Craig S. Fischer

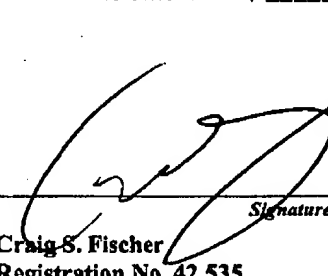
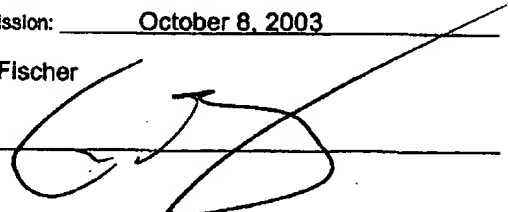
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This correspondence includes the following attached papers:

1. Facsimile Cover Sheet including Certificate of Transmission under 37 C.F.R. § 1.8 (1 page);
2. Amendment Transmittal Letter (1 page);
3. Amendment under 37 C.F.R. § 1.116 (9 pages).

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|   |                                     |  |   |                |
|---|-------------------------------------|--|---|----------------|
| <b>TRANSMITTAL LETTER (Large Entity)</b>  |                                     |  | Docket No.<br><b>MCS-023-01</b>   |                |
| Applicant(s): <b>TOYAMA</b>   |                                     |  |   |                |
| Serial No.<br><b>09/404,940</b>   | Filing Date<br><b>09/23/1999</b>    | Examiner<br><b>K. E. Booker</b>  | Group Art Unit<br><b>2121</b>   |                |
| Invention: <b>COMPUTERIZED AESTHETIC JUDGMENT OF IMAGES</b>   |                                     |  |   |                |
| <u>TO THE HON. COMMISSIONER FOR PATENTS:</u>  |                                     |  | <b>RECEIVED</b><br><b>CENTRAL FAX CENTER</b><br><b>OCT 09 2003</b><br><b>OFFICIAL</b> |                |
| Transmitted herewith is an amendment in the above-identified application.<br>The fee has been calculated and is transmitted as shown below.   |                                     |  |   |                |
| <b>CLAIMS AS AMENDED</b>  |                                     |  |   |                |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR  | NUMBER EXTRA<br>CLAIMS PRESENT  | RATE           |
| TOTAL CLAIMS  | 28 -                                | 31 =   | 0 x   | \$18.00        |
| INDEP. CLAIMS   | 6 -                                 | 7 =  | 0 x   | \$86.00        |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                     |  |   | \$0.00         |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |                                     |  |   | <b>\$ 0.00</b> |
| <p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br/>A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input type="checkbox"/> A Credit Card Payment Form (PTO-2038) for payment for _____<br/>in the amount of \$ _____ is attached.</p> |                                     |  |   |                |
| <br>_____<br><b>Craig S. Fischer</b><br>Registration No. 42,535<br><b>LYON &amp; HARR, L.L.P.</b><br>300 East Esplanade Drive<br>Suite 800<br>Oxnard, CA 93036-1274<br>TEL: (805) 278-8855<br>FAX: (805) 278-8064  |                                     | <p>Dated: <b>October 8, 2003</b></p> <p>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8<br/>I hereby certify that this paper and every paper referred to therein as<br/>being enclosed is being facsimile transmitted to the Hon. Commissioner<br/>for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, TC2100<br/>at (703) 746-7238</p> <p>Date of Transmission: <u>October 8, 2003</u></p> <p>By: <b>Craig S. Fischer</b></p> <p>Signature: </p> |   |                |

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on October 8, 2003 (Date of Transmission)

Craig S. Fischer

By

Signature

**27662**

PATENT TRADEMARK OFFICE

**PATENT**  
Microsoft Matter No.: 136623.1  
Attorney Docket No.: MCS-023-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: TOYAMA

Serial No.: 09/404,940

Group Art Unit: 2121

Filed: September 23, 1999

Examiner: K. E. Booker

For: **COMPUTERIZED AESTHETIC JUDGMENT OF IMAGES**

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop: AF  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
TC2100  
Facsimile No. (After Final): (703) 746-7238

Sir:

In response to the final Office Action dated August 22, 2002 (Paper No. 17), the Applicant respectfully requests that this amendment be entered under 37 C.F.R. 1.116 to place each of the claims of the above-referenced application in condition for

OK to Enter  
KB 10/10/03